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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,628	12/26/2001	John I. Johnson	71493-1037 /pw	4432
7380	7590	04/18/2006	EXAMINER PITARO, RYAN F	
SMART & BIGGAR P.O. BOX 2999, STATION D 900-55 METCALFE STREET OTTAWA, ON K1P5Y6 CANADA			ART UNIT 2174	
DATE MAILED: 04/18/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/025,628

Applicant(s)

JOHNSON ET AL.

Examiner

Ryan F. Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-30 and 32-34 is/are allowed.
- 6) ☐ Claim(s) 31, 35 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-36 have been examined.

### ***Response to Amendment***

2. This action is in response to Amendment C filed 3/3/2006. 1-36 are pending in this application. No changes have been made to the claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Planas et al ("Planas", US 6,112,015) in view of Conrad et al ("Conrad", US 2002/0165934).

As per independent claim 31, Planas discloses a method in a computer system for displaying network management information for an optical network (Column 3 lines 66-67, Column 4 lines 1-2), said optical network comprising a plurality of nodes and a plurality of links for transmitting optical signals between said plurality of nodes (Column 4 lines 17-21, Column 5 lines 20-31), wherein each of said optical signals is a

multiplexed combination of a plurality of channel signals, the method comprising:  
Identifying in the plurality of nodes, add/drop nodes at which a channel signal may be added to, and/or dropped from, an optical signal on the optical network (Column 5 lines 20-31), displaying a network topology panel (Column 4 lines 58-62), and displaying in the network topology panel, a graphical representation of only those of the plurality of nodes which have been identified as add/drop nodes (Column 6 lines 37-42). Planas fails to only show add/drop nodes in the panel. However, Conrad teaches only showing a certain type of node (Figure 3). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Conrad with the method of Planas. Motivation to do so would have been to provide a filtering module to limit information provided in the visual representation.

Claims 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naik et al ("Naik", US 2004/0081308) in view of Robertson et al ("Robertson", US 5,295,243).

As per claim 35, Naik discloses a method displaying network management information for an optical network said Optical network comprising a plurality of nodes each comprising at least one optical component, and a plurality of links for transmitting optical signals between said plurality of nodes ([0388] lines 1-3, [0392] lines 1-3), said

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optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ([0392] lines 1-3). Naik fails to distinctly point out showing a route for a specific node. However, Robertson teaches the method comprising: upon selection of a selected node displaying information respecting each route which includes the selected node (Column 3 lines 52-59).

As per claim 36, Naik discloses a method displaying network management information for an optical network said Optical network comprising a plurality of nodes each comprising at least one optical component, and a plurality of links for transmitting optical signals between said plurality of nodes ([0388] lines 1-3, [0392] lines 1-3), said optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ([0392] lines 1-3), the method comprising: displaying in a tabular form in a routes panel ([0332] lines 1-4). Naik fails to distinctly point out showing a route for a specific node. However, Robertson teaches the method comprising: upon selection of a selected node displaying information respecting each route which includes the selected node (Column 3 lines 52-59).

***Allowable Subject Matter***

4. Claims 1-30 and 32-34 are allowable.

The following is an examiner's statement of reasons for allowance: The patentable distinction of the claims over the prior art is the interface for the optical network monitoring the optical components of the network, and displaying optical component information associated with each start, intermediate, and end node when selected along with the other limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments with respect to claims 31,35-36 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

RFP

  
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